

AMENDED IN SENATE MAY 6, 2009
AMENDED IN SENATE APRIL 20, 2009

SENATE BILL

No. 217

**Introduced by Senators Yee and Romero
(Coauthors: Senators DeSaulnier and Denham)**

February 23, 2009

An act to add ~~Sections 71090.3 and~~ *Section 89500.5* to, and to add Article 2 (commencing with Section 92010) to Chapter 1 of Part 57 of Division 9 of Title 3 of, the Education Code, relating to public postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

SB 217, as amended, Yee. Public postsecondary education: executive officer compensation.

Existing law establishes the University of California, which is administered by the Regents of the University of California, the California State University, which is administered by the Trustees of the California State University, and the California Community Colleges, which is administered by the Board of Governors of the California Community Colleges, as the 3 segments of public postsecondary education in this state. Existing law authorizes the regents, the trustees, and the board to employ officers and other employees.

This bill would prohibit the trustees ~~and the board~~ from increasing the monetary compensation, as defined, of, or approving a monetary bonus for, any executive officer, as defined, of ~~their respective segments~~ *the California State University* in any fiscal year in which the General Fund appropriation to the ~~respective segment~~ *California State University* in the annual Budget Act is less than, or equal to, the General Fund appropriation to ~~that segment~~ *the university* in the annual Budget Act

for the immediately preceding fiscal year. The bill would request the regents to not increase the monetary compensation of, or approve a monetary bonus for, any executive officer, as defined, of the University of California, in any fiscal year in which the General Fund appropriation to the University of California in the annual Budget Act is less than, or equal to, the General Fund appropriation to the university in the annual Budget Act for the immediately preceding fiscal year.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 71090.3 is added to the Education Code,~~
2 ~~to read:~~

3 ~~71090.3. (a) The board of governors shall not increase the~~
4 ~~monetary compensation of, or approve payment of a monetary~~
5 ~~bonus to, any executive officer in any fiscal year in which the~~
6 ~~amount of General Fund moneys appropriated to the California~~
7 ~~Community Colleges in the annual Budget Act is less than, or~~
8 ~~equal to, the amount of the General Fund moneys appropriated to~~
9 ~~the California Community Colleges in the annual Budget Act for~~
10 ~~the immediately preceding fiscal year.~~

11 ~~(b) As used in this section, the following terms have the~~
12 ~~following meanings:~~

13 ~~(1) "Executive officer" includes, but is not limited to, the~~
14 ~~Chancellor of the California Community Colleges, an executive~~
15 ~~vice chancellor, a senior vice chancellor, the general counsel of~~
16 ~~the colleges.~~

17 ~~(2) "Monetary compensation" includes, but is not limited to, a~~
18 ~~salary, a vehicle allowance, and a housing allowance.~~

19 ~~(c) Subdivision (a) shall apply only to executive officers that~~
20 ~~enter into or renew a contract for employment with the California~~
21 ~~Community Colleges on or after January 1, 2010.~~

22 ~~SEC. 2.~~

23 ~~SECTION 1. Section 89500.5 is added to the Education Code,~~
24 ~~to read:~~

25 ~~89500.5. (a) The trustees shall not increase the monetary~~
26 ~~compensation of, or approve payment of a monetary bonus to, any~~
27 ~~executive officer in any fiscal year in which the amount of General~~
28 ~~Fund moneys appropriated to the California State University in~~

1 the annual Budget Act is less than, or equal to, the amount of
2 General Fund moneys appropriated to the California State
3 University in the annual Budget Act for the immediately preceding
4 fiscal year.

5 (b) As used in this section, the following terms have the
6 following meanings:

7 (1) “Executive officer” includes, but is not limited to, the
8 Chancellor of the California State University, a vice chancellor of
9 the university, an executive vice chancellor of the university, the
10 general counsel of the university, the trustees’ secretary, a president
11 of a campus, and a managerial employee as defined in Section
12 3562 of the Government Code.

13 (2) “Monetary compensation” includes, but is not limited to, a
14 salary, a vehicle allowance, and a housing allowance.

15 (c) Subdivision (a) shall apply only to executive officers that
16 enter into or renew a contract for employment with the California
17 State University on or after January 1, 2010.

18 ~~SEC. 3.~~

19 SEC. 2. Article 2 (commencing with Section 92010) is added
20 to Chapter 1 of Part 57 of Division 9 of Title 3 of the Education
21 Code, to read:

22
23 Article 2. Executive Compensation
24

25 92010. (a) The Regents of the University of California are
26 requested to not increase the monetary compensation of, or approve
27 payment of a monetary bonus to, any executive officer in any fiscal
28 year in which the amount of General Fund moneys appropriated
29 to the University of California in the annual Budget Act is less
30 than, or equal to, the amount of General Fund moneys appropriated
31 to the University of California in the immediately preceding fiscal
32 year.

33 (b) As used in this section, the following terms have the
34 following meanings:

35 (1) “Executive officer” includes, but is not limited to, the
36 President of the University of California, the chancellor of an
37 individual campus, a vice president of the university, the treasurer
38 of the university, the assistant treasurer of the university, the
39 general counsel of the university, the regents’ secretary, and a

1 managerial employee as defined in Section 3562 of the Government
2 Code.

3 (2) “Monetary compensation” includes, but is not limited to, a
4 salary, a vehicle allowance, and a housing allowance.

5 (c) Subdivision (a) shall apply only to executive officers that
6 enter into or renew a contract for employment with the University
7 of California on or after January 1, 2010.

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